

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:21 CR 817
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
MICHAEL TODD CLARK, JR.,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr., regarding the change of plea hearing of Michael Todd Clark, Jr., which was referred to the Magistrate Judge with the consent of the parties.

On February 17, 2022, the government filed a 5 count Superseding Indictment, charging Defendant Clark with Conspiracy to Distribute and Possess with Intent to Distribute a Controlled Substance, Possession with Intent to Distribute a Controlled Substance, Felon in Possession of a Firearm and Ammunition and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Titles 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(D), 18 U.S.C. §§ 922(g)(1), 924(a)(2) and 924(c)(1)(A), respectively. Defendant Clark was arraigned on March 3, 2022, and entered a plea of not guilty to counts 1, 2, 3, 4, and 5 of the Superseding Indictment, before Magistrate Judge Baughman. On May 18, 2022, Magistrate Judge Baughman, received Defendant Clark's plea of guilty to counts 1, 2, 3, 4 and 5 of the Superseding Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty

entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Clark is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Michael Todd Clark, Jr. is adjudged guilty to counts 1, 2, 3, 4 and 5 of the Superseding Indictment, in violation of Titles 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(D), 18 U.S.C. §§ 922(g)(1), 924(a)(2) and 924(c)(1)(A) . This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on September 9, 2022, at 10:30 a.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

June 13, 2022